

Remarks

Reconsideration of the above-identified patent application in view of the present amendment and the following remarks is respectfully requested.

The Office Action of April 6, 2005 rejected claims 16-19, 22, 23, and 28 as being obvious under 35 U.S.C. §103 over Lambropoulos et al., U.S. Patent No. 5,109,221, in view of Issa, U.S. Patent No. 5,712,638. Claims 20 and 24-27 stand rejected as being obvious under 35 U.S.C. §103 over Lambropoulos et al. in view of Issa and further in view of Murray, U.S. Patent No. 5,898,397. Claim 21 stands rejected as being obvious under 35 U.S.C. §103 over Lambropoulos et al. in view of Issa and further in view of Lin, U.S. Patent No. 6,259,362.

The Advisory Action of July 22, 2005 alleged that a previously filed after final amendment raised new issues with regard to claim 28. In response to the Office Action of April 6, 2005 and the Advisory Action, this amendment amends claims 17, 18, 20-22, and 24 and cancels claims 16 and 28. The amendment to claim 21 rewrites claim 21 in independent form. Claims 18, 20-22, and 24 have been amended to depend from claim 21. Thus, it is respectfully submitted that the present amendment raises no new issues that would require further searching. It is also respectfully submitted that the present amendment places the application in a condition for allowance.

Thirty-five U.S.C. §103(c) states that:

(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Subsection (c) of 35 U.S.C. §103 applies to all utility patent applications filed on or after November 29, 1999. MPEP §706.02(I)(1).


The present application and Lin were, at the time the invention of the present invention was made, owned by, or subject to an obligation of assignment to TRW Inc. Since the present invention was filed after November 29, 1999 and Lin qualifies as prior art against the present invention only under 35 U.S.C. §102(e), Lin may not be applied as prior art in an obviousness rejection under 35 U.S.C. §103. Therefore, the rejection of claim 21 under 35 U.S.C. §103 is improper and should be withdrawn. As a result, it is respectfully submitted that claim 21 is in a condition for allowance.

Claims 17-20 and 22-27 depend from claim 21 and are allowable for at least the same reasons as claim 21.

In view of the foregoing, it is respectfully submitted that the above-identified patent application is in condition for allowance, and allowance of the above-identified patent application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel J. Whitman', written over a horizontal line.

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